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# Facsimile

To: USPTO, Examiner Gallene Gabel  
From: Coe F. Miles  
Fax: 703-872-9306  
Pages: 14 (incl cover)  
Date: August 4, 2004  
Re: Reply to Office Action dated May 6, 2004

Urgent

For Review

Please Reply

For Comment

Comments: Should there be any questions or problems, please contact me.

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PTO/SB/21 (02-04)

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FORM**

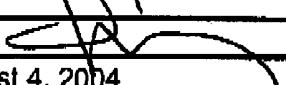
(to be used for all correspondence after initial filing)

		Application Number	09/550,276
		Filing Date	April 15, 2000
		First Named Inventor	Glenn Spaulding
		Art Unit	1641
		Examiner Name	Gallene Gabel
Total Number of Pages In This Submission	14	Attorney Docket Number	010-US-002

**ENCLOSURES (Check all that apply)**

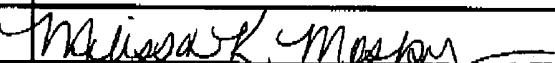
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavit/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Fax Cover Sheet
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		<b>Remarks</b>
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Coe F. Miles (Reg. No. 38,559)
Signature	
Date	August 4, 2004

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Melissa K. Mosby
Signature	
Date	August 4, 2004

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED  
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Title : Novel Flow Cytometer  
Inventors : Glenn Spaulding  
Serial No : 09/550,276  
Filed : 15 April 2000  
Docket : 010-US-002  
Customer : 29664

AUG 04 2004

§ Examiner : Gallene Gabel  
§ Phone : 703-305-0807  
§ Art Unit : 1641

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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transmitted to (703) 872-9306 on 4 August 2004.

*Melissa K. Mosby*

Melissa K. Mosby

## REPLY TO OFFICE ACTION DATED 6 MAY 2004

Sir:

In response to the Office Action dated 6 May 2004, please amend the above-  
identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begin on page  
2 of this Reply.

**Remarks and Arguments** begin on page 8 of this Reply.